

CLARK HILL

Boris Brownstein, Esq.
T 609.785.2911
F 609.785.2971
Email: BBrownstein@ClarkHill.com

Clark Hill PLC
210 Carnegie Center
Suite 102
Princeton, NJ 08540
T 609.785.2900
F 609.785.2999

ClarkHill.com

August 30, 2018

Via ECF Only

Hon. P. Kevin Castel
Courtroom 11D
500 Pearl Street
New York, NY 10007

Re: Humane Consumer LLC v. COB Ecommerce Empire LLC et al, 1:18-cv-05622-PKC

Your Honor:

This joint letter is submitted pursuant to your Order dated June 25, 2018, concerning the Initial Pretrial Conference scheduled for September 6, 2018, at 12:30 p.m. Enclosed with this letter please find a jointly proposed Case Management Plan.

The complaint alleges violation of state and federal laws regarding false advertising, tortious interference, unfair competition, public deception and unjust enrichment by Humane Consumer LLC against COB Ecommerce Empire LLC d/b/a Keeva Organics, Crawford and O'Brien LLC, Charles Crawford, Michael O'Brien and Amazon.com, Inc. Amazon.com, Inc. has been voluntarily dismissed. Counsel has appeared for COB Commerce Empire LLC and Charles Crawford ("COB Defendants"), which defendants deny all liability and anticipate filing a counterclaim based on, inter alia, unfair trade practices. The facts address statements on the COB Defendants' website and in its registered trademarks. The counterclaim will address acts of Plaintiff as a competitor of the COB Defendants. COB Defendants also contend that Plaintiff has not been damaged and no statements have been made directly regarding any of Plaintiff's products.

Counsel for COB Defendants has agreed to accept service of process by mail, while reserving all rights, and Counsel for Plaintiff has agreed to extend the deadline for COB Defendants to respond to the Complaint to October 1, 2018. It is respectfully requested that the Court grant and/or so-order this extension of time for COB Defendants to respond to the complaint. No such requests have been previously made.

August 30, 2018

Page 2

At this juncture, contemplated motions include a motion to dismiss for lack of personal jurisdiction on behalf of Charles Crawford and a motion to transfer for improper venue on behalf of the COB Defendants.

Initial settlement discussions were held with between Plaintiff's counsel and Amazon.com's attorney when that dismissal was being discussed. COB Defendants through their own counsel have not yet had settlement discussions.

Dated: August 30, 2018

New York, New York

Respectfully submitted,

Paul W. Siegert

/s/ Paul W. Siegert

Paul W. Siegert

Attorney For Plaintiff

307 Fifth Avenue, 4th Floor

New York, NY 10016

Tel: (212) 564-8181

Fax: (212) 564-4414

Attorneys for Humane Consumer LLC

Respectfully submitted,

Clark Hill PLC

/s/ Boris Brownstein

Boris Brownstein

830 Third Avenue, Suite 200

New York, NY 10022

Tel: (212) 381.76.51

Fax: (609) 785.2999

*Attorneys for COB Ecommerce Empire LLC
d/b/a Keeva Organics and Charles Crawford*